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September 23, 2014

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

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WASHINGTON, D.C. UPDATE ON LEGISLATION OF COUNTY INTEREST CLEARED FOR THE PRESIDENT'S SIGNATURE

This memorandum is to inform the Board that, on September 18, 2014, the Senate passed and sent three bills of County interest to the President before Congress recessed until November 12, 2014. The President is expected to sign all of them into law.

As previously reported, the Senate passed, 78 to 22, H.J.Res. 124, the Federal Fiscal Year (FFY) 2015 Continuing Resolution, which temporarily funds Federal programs and activities through December 11, 2014. Before recessing, the Senate also cleared, by unanimous consent, a number of House-passed bills for the President's signature, including two bills of County interest:

Preventing Sex Trafficking and Strengthening Families Act (H.R. 4980)

H.R. 4980 seeks to prevent, identify, and combat sex trafficking of youth in the child welfare system by imposing new Title IV-E Foster Care requirements on states, which include the following:

- Develop and implement policies for identifying, screening, and determining appropriate actions and services for children in the child welfare system who are believed to be, or at risk of being, victims of sex trafficking, and for training caseworkers. States are given the option to serve victims up to age 26 without regard to whether the individual is or was in foster care;
- Identify and document children in the child welfare system who are either victims of sex trafficking or other severe forms of trafficking, and report information on victims

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of sex trafficking and on missing or abducted children to law enforcement agencies within 24 hours of receiving such information;

- Develop and implement protocols for locating children who are missing from foster care and determining whether a child had been a possible sex trafficking victim while missing from foster care; and
- Annually report the number of children and youth who are sex trafficking victims to the Secretary of Health and Human Services (HHS).

H.R. 4980 also imposes other new IV-E requirements on states that are not directly related to sex trafficking, including the following:

- Implement a “reasonable and prudent parent standard,” which provides foster parents with a greater voice in making decisions about a foster child’s participation in age-appropriate activities -- a standard that already exists in California;
- Empower foster youth age 14 or older to have a greater voice in the development of their case plans, including through the selection of two individuals to participate in their case planning; and
- Require states to provide a child who is aging out of foster care with a birth certificate, Social Security card, health insurance information, medical records, and a driver’s license or state identification card.

In addition, the bill also eliminates the current option to make Another Planned Permanent Living Arrangement (APPLA) the permanency goal for an abused or neglected child who is under age 16 even when there is a compelling reason why APPLA is in the child’s best interest rather than the goals of reunification with parents, adoption, or legal guardianship. Compelling reasons why APPLA -- placement in long-term foster care (LTFC) -- have been determined to be in the child’s best interest include that the child has an abusive parent with mental health or substance abuse problems or that the child has special needs or disabilities that make family reunification, adoption, or legal guardianship less beneficial or viable options.

Eliminating APPLA/LTFC as an option would require the Department of Children and Family Services to expend more resources on recruiting adoptive parents and legal guardians and providing specialized services to children with special needs and disabilities. It also could result in more children being returned to parents who previously abused or neglected them.

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Debbie Smith Reauthorization Act (H.R. 4323)

H.R. 4323 reauthorizes funding for the Debbie Smith DNA Backlog Grant Program and DNA training and education of law enforcement, corrections, and court personnel at their current combined \$194 million annual authorization level for five years through FFY 2019. Similar to other state and local law enforcement grant programs, Congress has appropriated significantly less than the authorized funding levels for Debbie Smith programs in recent years. This bill, therefore, will not affect the amount of funds that will be available to state and local governments for DNA-related activities.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

c: All Department Heads
Legislative Strategist